

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION

NORTH CAROLINA CHILD CARE COMMISSION

Tuesday, August 3, 2021

Teleconference

Commission Members Present

Zac Everhart, Chairperson

Rhonda Rivers, Vice Chairperson

Dr. Sheresa Blanchard

Susan Butler-Staub

Victor Coffenberry

Dr. Sharon Foster

Perry Melton

Amelie Schoel

Melissa Burroughs

Brooke Child

Dr. J. Lanier DeGrella

Dr. Elizabeth Gilleland

Beth Messersmith

Dr. Iheoma Iruka Thompson

Commission Members with an Excused Absence

Kimberly J. McClure

Mitchell Gold

Janie Truesdale

Division of Child Development & Early Education Staff Present

Ariel Ford, Director

Dr. Kristi Snuggs, Deputy Director

Dedra Alston, Administration/Policy

Lorena Gonzalez, Early Education

Laura Hewitt, Administration/Policy

Alison Keisler, Regulatory Services

Tammy Barnes, Regulatory Services

Andrea Lewis, Regulatory Services

Lorie Pugh, Regulatory Services

Branda Watford, Administration/Policy

Regina Brooks, IMS Manager

Tammy Freeman, IMS Team

Attorney General's Office Staff

John Green, Commission Attorney

Amber Davis, Division Attorney

Welcome

Chairperson Zac Everhart called the meeting to order at 9:18 am and reviewed housekeeping items. There were no new members. Attorney John Green announced there was a quorum of Commissioners to begin the meeting. Chairperson Everhart thanked everyone for being available to participate in the First Quarter Meeting.

Roll Call

Chairperson Everhart read the conflict of interest statement; there were none and asked Dedra Alston to call the roll.

Chairperson's Report

Chairperson Everhart read the agenda and stated that all information could be found under "What's New" on the DCDEE website. Announced the rules to sharing comments through the WebEx portal.

The minutes were from the last three meetings needed to be approved:

Fourth Quarter Meeting (April 26, 2021)

Commission Action: Ms. Amelie Schoel motioned to accept and approve minutes as is for the Fourth Quarter held on April 26, 2021 meeting; Dr. Iheoma Iruka Thompson second the motion. The motion carried unanimously.

Special Meeting (May 10, 2021)

Commission Action: Dr. Sharon Foster motioned to accept and approve minutes as is for the Special Meeting held on May 10, 2021; Vice-chairperson Rivers second the motion. The motion carried unanimously.

Special Meeting/Public Hearing (June 28, 2021)

Commission Action: Dr. Lanier DeGrella motioned to accept the approved minutes as is from the Special Meeting/Public Hearing held on June 28, 2021; Ms. Susan Butler-Staub second the motion. The motion carried unanimously.

Chairperson's Report

Ariel Ford addressed COVID-19 concerns by providing the following:

- COVID-19 Statewide Response Updates
- NC Legislative Session Updates
- Stabilization Grants Update
- DCDEE Updates
- Staff Spotlight

COVID-19 Statewide Response Updates

Director Ford discussed how the cases have risen with COVID-19 such as:

- Case rates are increasing across NC, across ages, and across race/ethnicity
- Higher vaccination rates associated with lower case rates
- The Delta variant has become the dominant strain in North Carolina, as it is in the rest of the United States

Case rates are increasing across all age groups, with the greatest increases occurring among 18-24 and 25-49-year-olds; whereas small gaps persist between Hispanic and Non-Hispanic populations. Case rates are highest in the Sandhills Region but are increasing Statewide.

What can be done to protect young children?

- Children under 12 are NOT eligible for COVID-19 vaccines at this time.
- Among children ages 12 to 17 in North Carolina, just 28% have received at least one dose of the COVID vaccine, and 24% are fully vaccinated, as of July 28, 2021.
- Masks are recommended for all children and staff while inside child care facilities, even if fully vaccinated.
- As of the previous week, Governor Cooper did not plan to issue a new order requiring masks on public transportation, in child care settings, schools and camps. The current order expired July 30, 2021.
- It is critical that ANYONE eligible for vaccination get vaccinated today –get vaccinated because our youngest children cannot.

Everyone should get vaccinated right now if you haven't. We are seeing the impact of the very contagious Delta variant of COVID-19 and it's hitting hard those who are unvaccinated as stated by NC DHHS Secretary Dr. Mandy Cohen.

Stabilization Grants

- In initial stages of procurement process and infrastructure design.

- When COVID-19 shut down North Carolina, we came together to protect children, families, providers, and our state economy.
- North Carolina’s early childhood system is driven by people working together – DCDEE and its partners worked to save the team that keeps North Carolina working.

Timeline: Crisis, bold action, recovery, and more work to do

- Prior to COVID-19
 - 265,000 children enrolled in regulated childcare, 25% receiving subsidy
 - 5,746 licensed childcare facilities
 - 76% centers/255,600 children
 - 24% homes/9,900 children
 - 41,000 teachers and staff
- April 2020
 - 60,000 children enrolled in regulated child care
 - Subsidy stabilized + co-pays
 - Open facilities
 - Centers 49%
 - Homes 87%
 - 20,000 teachers and staff
- December 2020
 - 126,000 children enrolled in regulated care
 - Open facilities
 - Centers 93%
 - Homes 97%
 - 39,000 teachers and staff
- April 2021
 - 185,000 children enrolled in regulated care
 - 70% total pre-pandemic enrollment; 100% pre-pandemic subsidy enrollment
 - Open facilities
 - Centers 93%
 - Homes 97%
 - 39,000 teachers and staff

Shortage: How do we Respond

The priorities during the crisis were to protect children, families and providers to keep North Carolina working:

1. Health and Safety
2. Operational Support
3. Workforce Support
4. Access and Affordability

Why we do this work: Hear from 2020-21 Operational Grant Recipients

“Even a home day care like myself-it helped me because this is my home and I still have to live here.” - Mecklenburg Provider

“It made us feel good that [the state was] seeing our point of view and what we needed. I know it helped us to stay open because we probably would've had to closed” -Burke Provider

“The grants helped tremendously. Just having to go through this, and help the parents go through, the grants have been a blessing. I’m thankful for the state looking out for us as providers.”
-Rowan Provider

What’s Next for ECE? How do we move from CRISIS to RECOVERY?

The priorities during the crisis were to protect children, families, and providers – but now it shifts to build beyond surviving to moving the system forward sustainability. NC will continue to invest in:

1. Providers
2. Teachers and Staff
3. Children and Families

Key DCDEE Takeaways from Operational Grant Administration to Inform Stabilization Grant Design

1. Design a Responsive Program Model
 - a. Recommend weighing community demographics and/or subsidy density/payment structure in formula
 - b. Segment grants to increase specificity
 - c. Plan to adapt; build continuous quality improvement into plan
2. Build the Business Model for Success and Adapt as Needed
 - a. Engage internal business (contracts, IT, budget) services early
 - b. Multiple months of consistent funding
 - c. Prepare for data collection methods and technology needs
3. Implement Clear, Consistent Communication Practices (Internal & External)
 - a. Use multiple modes of communication and communicate frequently
 - b. Dedicated customer service staff
 - c. Develop internal operational practices to ensure customer service success

Stabilization Grant Process

There should be one single portal that is seamless and serve as a one-stop shop to support providers, administrators, and update data regularly for teachers and staff.

Discussion about developing a matrix/guidance to enhance the stabilization package to provide assurance and support where the program will be able to opt in to get compensation depending on the site's operation. Director Ford stated there would be more details forthcoming within the grant about requirements and guidance.

There was concern about family child care homes being able to access resources; reimbursement items; and will it address wage gaps.

Director Ford said that a great deal of the facilities will be applying for the program and that everyone should reach out to those who do not apply (both homes and centers); special consideration will be given, and compensation will be addressed in regard to the wage gap.

NC Legislative Session Updates

Bills Proposed this Legislative Session

The State budget may be released at the end of week (August 6, 2021).

H 74	ApSeed Pilot Project/Funds
H 272 Session Law 2021-69	Revise Health Standard for Lead
H 366	Regulatory Reform Act of 2021
S 387 Session Law 2021-8	Excellent Public Schools Act of 2021
H 574	Revise Child Care Subsidy Rates
S 570	Hold Harmless Star Rating/ERS Assess. Resume

Director Ford asked if there were any questions/comments and Dr. Foster stated that ICUs are filled with children because of the Delta variant of the COVID-19 virus spreading and infecting 8-9 people by one person. People need to take this virus/infection seriously.

DCDEE Updates

Dr. Kristi Snuggs gave the updates stating that \$40M has been given for Preschool Development Grant (PDG) and most of the activities were in the implementation stages with:

- Family engagement
- Families connecting in pilot program – starting the month of August 2021
- Focusing on infant/toddlers

Update on Status of NC's Response to CCDF Monitoring

- Consumer Education – Posting Monitoring and Inspection Reports in accordance with 45 CFR 98.33(a)(4).
 - Working with ITD to enhance the website and post all monitoring visits.
- 12-Month Eligibility Determination and Re-Determination in accordance with 45 CFR 98.21(a)(1).
- *Concern has been corrected.* SBS, Head Trauma, and Maltreatment requirement in accordance with 45 CFR 98.41(a)(1)(vi).
 - Additional information submitted to be considered in compliance.

ChildCareStrongNC Public Health Toolkit

- The Toolkit has been updated to align with current CDC: COVID-19 Guidance for Operating Early Care and Education/Child Care Programs and CDC's updated guidance from July 27, 2021.
- It is organized into three categories that prioritize implementation of the strategies that have been shown to be most effective in lowering the risk of COVID-19 exposure and spread in childcare settings.
 - Strategies that are **required** are based on existing North Carolina laws and child care rules and must be followed by all child care providers.
 - Strategies that **NC DHHS recommends that child care programs require**. These strategies, if not implemented, create conditions of high risk for COVID-19 exposure and spread. NCDHHS strongly advises that child care programs adopt all the strategies in these sections.
 - Strategies that child care programs **should consider** adopting. These are strategies to provide additional layers of prevention and that, if implemented, will further reduce the risk of COVID-19 exposure, and spread.
 - Included guidance regarding who is now permitted in child care facilities.

Staff Spotlight

APHSA ISM Conference - Best US of Technology for Customers – External Focus

- The Emergency Child Care Portal in May/October of 2020 is nominated.
- The nomination recognized the innovative use of technology to enhance and expand external service delivery to those we serve.
- Human services are being delivered in non-traditional places and/or methods, and these new approaches would not be possible without the thoughtful and strategic use of information technology.
 - Is externally focused on a public facing service outcome.
 - Can demonstrate a new service to customers or fill in gap in the availability of existing services.
 - Demonstrates a creative approach leading to an improved customer experience.
 - Illustrates improvement that provides better/quicker/more efficient and effective services to clients.
 - Demonstrates measurable client-based outcomes and results.
 - Focus: Innovation, efficiencies, outcomes, customer experience

Adoption of Permanent Rules

10A NCAC 09 .3101-.3104, Care for School-Age Children During State of Emergency. The Commission adopted permanent rules to replace the temporary rules that are currently in effect to extend this flexibility through the duration of the state of emergency. The proposed permanent rules would allow existing, currently

licensed child care facilities to immediately utilize space, in addition to what is currently licensed for their facility, to provide temporary care to school-age children who are learning remotely, rather than in typical in-person school, only during a declared state of emergency.

Commission Action: Motion to adopt rules 10A NCAC 09 .3101-.3104 and its fiscal note by Dr. Elizabeth Gilleland and seconded by Dr. Iheoma Iruka Thompson. The motion carried unanimously.

Rulemaking Discussion

Child Care Rule .0713(f) – Mixed Age Groups

- Proposed Edits
 - Changed ages referenced in years to months for consistency
 - Changed age range in chart (to meet multi age grouping requirement in law)
 - Clarification added in chart regarding children who turn three and are in rooms with infants and toddlers

Discussion for these changes:

- Edit paragraph (f)
 - Convert infant-toddlers to months and years
 - Change the 2- 4-yr grouping
 - 2-yr olds cannot go to 5-yr groupings
 - Child 36 – 46 months may remain with infant/toddler groups with transition plan
 - Fiscal note needs to be written.

Discussion for clearer definition on “what is outside of the center” – the child moving out of the center/early head start/kindergarten and on to public school to be added.

Motion to publish and accept the changes.

Commission Action: Motion to vote to publish by Dr. Lanier DeGrella and seconded by Vice-chairperson Rhonda Rivers. The motion carried unanimously.

Child Care Rule .1402 Outdoor Space (reviewed as reference to Rule .2809 discussion)

- Minimum Standards for Outdoor space
 - (a) The outdoor play area shall be no smaller than 75 square feet for each child using the outdoor learning environment at any one time.
 - (b) Paragraph (a) of this Rule apply only to child care centers initially licensed after April 1, 1984.
 - (c) The outdoor play area shall provide an area that is shaded by a building, awnings, trees, or other methods.
 - (d) The outdoor area shall be designed so that staff is able to adequately supervise the entire area in accordance with 10A NCAC 09 .1801(a).

Rule .2809 Enhanced Space (discussion for outdoor space)

- This was less stringent than in rule .1402
- Edited to have consistent measuring criteria from minimum requirements to enhanced
- Removed the alternative and edited the space requirement more space.
- Should be made simpler/clearer for understanding/provider friendly.
- Allow for a separated space be provided to arrange for administration and private conferences with parents (away from the children)

Commission Action: Motion to vote to publish by Perry Melton and seconded by Dr. Iheoma Iruka Thompson. The motion carried unanimously. Chairperson Everhart

said he liked that the simplicity of this rule was made great for understanding.

Summary –Child Care Rule .3013

- Over 70% of the teacher assistants already hold an AAS Degree
- Continues to support education of early childhood workforce and professionalizing the field
- All teacher assistants must complete continuing education clock hours each year. NC Pre-K teachers are provided many opportunities for professional development.
- DPI supports the proposed updated language of the Child Care Rule .3013
- North Carolina's NC Pre-K program would meet all 10 of NIEER Quality Indicators for NC Pre-K Programs

Next Steps

- Will go forward to Rule Review for final approval.
- Proposed earliest Effective Date would be January 1, 2022.
- Regulatory will not monitor for compliance, but provide technical assistance (TA) throughout 21-22 NC Pre-K Program Year (typical progress)

Discussion:

- There was a 7% decrease (161 teacher less) and the timing of changing rules was not good because of the difficulty behind the rule which made it hard to find qualified teachers. Parents decline to send their children because of the lack of teachers.
- Continuing to do flexibility in the classroom a year before compliance monitoring
- Pending legislature (if passes) will there still be flexibility
- Working with colleges and universities to help build the lack of teachers
- Timeline on the funding – a plan to roll out that would provide opportunities
- What is needed to meet the need of the TA's? Data is needed
- Can language be added so that college course work be added? CDC course work used toward AAS degrees

Commission Action: Motion to vote to publish the rule and fiscal note for a proposed April 1, 2022 effective date by Dr. Elizabeth Gilleland. Second by Dr. Sharon Foster. Motion carried with one abstaining.

Chairperson Everhart thanked Dr. Snuggs for the guidance on this rule. He thanked everyone for attending the meeting and reminded everyone that the next scheduled meeting is September 20, 2021.

Chairperson Everhart adjourned the meeting at 2:23 p.m.